UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA   :
                                  :
v.   :   **ORDER**
                                  :
RONALD LEON,   :   18 CR 237-2 (VB)
                    Defendant.   :
--x

Defendant Ronald Leon's renewed motion for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Doc. #104) is DENIED.

By Order dated December 4, 2020, the Court denied Leon's previous motion for the same relief. The Court need not repeat its reasons for denying the motion, except to say that Leon had not demonstrated "extraordinary and compelling" reasons for the extraordinary relief being sought, and that consideration of the sentencing factors set forth in 18 U.S.C. § 3553(a) cut strongly against Leon's early release. The sole non-frivolous basis for renewing the motion is that fact that FCI Schuylkill, where Leon is housed, has experienced an outbreak of COVID-19 cases since the Court decided Leon's first motion. However, the Court is persuaded by the government's opposition (Doc. #106), as well as the Court's general awareness of the steps the Bureau of Prisons ("BOP") has taken in response to the health emergency, that BOP has acted, and continues to act, responsibly to protect and provide adequate medical care to inmates.

Moreover, Leon, given his age and general good health, is not at any greater risk of developing serious complications if he were to contract the virus. The fact that Leon is at risk of contracting the virus at FCI Schuylkill is not an extraordinary and compelling reason for his release, especially since he is also at risk of contracting the virus if released.

Finally, the Court rejects the argument that Leon's having served about one-third of the sentence imposed satisfies the relevant sentencing objectives here—just punishment, promoting respect for the law, and adequate deterrence. It does not.

Leon's renewed motion to reduce his term of imprisonment is DENIED.

Dated: January 5, 2021
       White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge